

## LETTER TO LAW ENFORCEMENT AGENCIES

State of California—Business, Transportation and Housing Agency

GRAY DAVIS, Governor

**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

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October 6, 1999

File No.: 1.A4575.991065.4

Dear:

As you are aware, Governor Gray Davis recently vetoed Senate Bill (SB) 78 by Senator Kevin Murray. SB 78 would have required law enforcement agencies, including the California Highway Patrol (CHP), to gather specified data regarding traffic stops. Even though the legislation was vetoed, the Governor has asked the Department to collect and analyze data from all traffic stops made by CHP officers beginning January 1, 2000. The Department will also submit a report to the Legislature on an annual basis.

The California Highway Patrol began gathering some of the information specified in SB 78 on July 1, 1999. Effective October 1, 1999, our data collection was expanded to include additional fields. As a result, I have directed my staff to complete the first report to the Legislature for release by July 1, 2000. That report will contain statistics collected from July 1, 1999, through April 30, 2000. Thereafter, the report will be submitted annually for the period May 1 through April 30.

I am aware that several local law enforcement agencies have also begun or plan to begin collecting data on a voluntary basis. The Department has been requested to include, in the annual report, information from any agency willing to voluntarily submit their data to the CHP. If your agency would like to participate in this reporting process, let me assure you the CHP will not analyze or judge the data submitted. It will be reported for statistical purposes only. In fact, all that is necessary are "bottom-line" totals. No back-up detail is required to be submitted. However, in an effort to provide uniform reporting it is recommended agencies provide data in a similar format. To assist you in determining what to report, the following information is provided.

The California Highway Patrol is collecting race, gender, age, result and vehicle search information from all motorist contacts. A copy of the Department's Management Memorandum 99-160 regarding collection procedures is enclosed for your information. Definitions for each data field is also shown in the following:

- Race - information categorized into five groups: Black/African American, White/Caucasian, Hispanic, Asian, and Other.

- Sex and Age - self explanatory.
- Result - the result of the motorist contact categorized into five groups: In-custody arrest, citation, written warning, verbal warning, and public/motorist service.
- Search - yes or no to indicate whether a vehicle was searched during the motorist contact. For the purpose of this data collection, vehicle search does not include the following:
  - A vehicle inventory search conducted for the expressed purpose of inventorying and safeguarding the property of the vehicle's owner.
  - A vehicle searched incidental to a lawful arrest.
  - A vehicle search pursuant to a lawful search warrant.

Agencies are being asked to submit data by May 20, 2000, to be included in the first report. The Department's Office of Research and Planning has been given the responsibility to prepare the report. We are currently in the process of developing an easy to use reporting format that will allow participating agencies to report their total data by each of the five categories via several transmission methods. I would appreciate it if your agency could contact Captain Larry Maher at (916) 657-7237 by December 1, 1999, if you anticipate participating in the reporting process. At that time, additional details on reporting specifications will be available. Should you have any questions regarding this issue, please do not hesitate to contact me.

Sincerely,

D. O. HELMICK  
Commissioner

Enclosure

**Management Memorandum****No. 99-160** (Expires: 3-30-00 )

September 30, 1999

TO: ALL COMMANDERS

**ENFORCEMENT/MOTORIST CONTACT DATA COLLECTION**

This Management Memorandum supersedes Management Memorandum 99-152, Enforcement Contact Data Collection, dated September 21, 1999. On July 1, 1999, the Department began collecting race, gender and age data from motorist contacts. Effective **October 1, 1999**, the Department will also collect result and vehicle search data from all motorist contacts. MM 99-160 reiterates previously published policy and requires an additional data field to be collected, for a total of five data fields to be collected on the modified CHP 415, Daily Field Record.

**1. POLICY**

a. A separate CHP 415 shall be maintained for capturing ethnicity data. Side 2 of the CHP 415 shall be left blank. On Side 1, the column headings "Start Time", "Elapsed Time", "Beat", and "Activity/Comments" shall be lined out and replaced with column headings of "Race", "Sex", "Age", "Result", and "Search." An entry shall be made for each motorist contact. Attachment A contains an example of a modified CHP 415 with one sample entry.

b. A separate MIS Menu Screen has been developed to facilitate collection of the motorist contact data. From the blank MIS screen type "ESTAT" and transmit or select "ESTAT" from the mask menu screen. The enforcement contact data collection screen will appear.

c. Enter the three-digit Area location code and date of data entry (even if it differs from the date the modified CHP 415 was submitted). Eighteen data entry lines are available per screen. Each screen may be completely filled before transmitting and obtaining a new blank screen or each screen may be transmitted after entering data from each modified CHP 415. If desired, Areas may capture this data by printing the data entry screen before transmitting.

**2. DEFINITIONS**

a. Race - Officers shall use their judgment to determine the subject's race by personal observation only. Only one of the following five categories are to be used. Officers shall enter either B, W, H, A, or O in the Race column.

B = Black/African American  
 W = White/Caucasian  
 H = Hispanic  
 A = Asian  
 O = Other

b. Sex and Age - Officers shall make their determination based on personal observation or information obtained from the subject's driver license or other identification.

c. Result - Officers shall indicate the results of the motorist contact by entering one of the following numbers into the Result column.

- 1 = In-Custody Arrest
- 2 = CHP 215, Notice to Appear
- 3 = CHP 281, Notice to Correct Violation
- 4 = Verbal Warning
- 5 = Public/Motorist Service

Only one category shall be used per contact. For example, even though a CHP 215 is issued as a result of an in-custody arrest, only the number 1 is entered in the result column.

d. Search - Officers shall indicate whether a vehicle was searched during the motorist contact. A Y or N shall be entered in the Search column for each contact. For the purposes of this data field, vehicle search does not include:

- A vehicle inventory search conducted for the expressed purpose of inventorying and safeguarding the property of the vehicle's owner.
- A vehicle searched incidental to a lawful arrest.
- A vehicle search pursuant to a lawful search warrant.

As a result, an N shall be entered when one of the above vehicle searches are conducted.

Should you have any questions regarding this Management Memorandum, contact the Office of Research and Planning at (916) 657-7237 or CALNET 437-7237.

OFFICE OF THE COMMISSIONER

ATTACHMENT

OPI: 004  
DISTRIBUTION: 3A E G

MM 99-160

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## MODIFIED CHP 415

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